

ORDER

Respondent contends claimant failed to prove that her dental problems are, in any way, associated with the automobile accident of November 1, 1999. However, the only expert opinion provided for the Board's consideration is that of Porter James Clark, D.D.S., of Independence, Kansas. Dr. Clark testified in this matter and also provided to respondent's attorney a report dated August 25, 2001.

Dr. Clark acknowledged that he was provided no medical records regarding this lady's injury or ongoing treatment. He did, however, provide an opinion regarding the cause of claimant's ongoing dental problems. Dr. Clark was less than complimentary of the emergency room physicians and medical staff who provided both initial and follow-up treatment for claimant. Dr. Clark was very critical of those doctors for not diagnosing the fact that claimant suffered injuries to her teeth in the automobile accident. He was most concerned about the fact claimant lost a crown and no health care provider took the initiative to find out whether the crown was lost somewhere in the vicinity or whether a more serious condition had occurred and claimant had, in some way, ingested or inhaled the crown.

Dr. Clark opined that claimant's ongoing dental problems were related to the automobile accident of November 1, 1999. No other opinion exists in the record. Respondent argues that claimant failed to notify the health care providers of her tooth problems before the settlement hearing. While this delay is somewhat confusing, nevertheless, the Board finds that claimant's ongoing dental problems are, based upon the opinion of Dr. Clark, a result of the automobile accident of November 1, 1999.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Order of Administrative Law Judge Jon L. Frobish, dated October 10, 2001, should be, and is hereby, affirmed.

IT IS SO ORDERED.

Dated this ____ day of December, 2001.

BOARD MEMBER

c: Brian D. Pistotnik, Attorney for Claimant
Christopher J. McCurdy, Attorney for Respondent
Jon L. Frobish, Administrative Law Judge
Philip S. Harness, Director